

all of the parameters used by Parulski et al. to produce the print in printer module 176 are stored in algorithm memory 172 within playback/processing unit 124. Rather, processor 168 of Parulski et al. has all of the information required to support printer 176 already stored in algorithm memory 172 of processing unit 124.

The Examiner states that "Ichikawa discloses a camera/printer system that transmits processed images to the printer and receives process color information and printing process information". The text cited by the Examiner reads "The control unit 13 communicates with the printer...through the [interface] to capture attached information such as information about the type of printer." The information about the type of printer is simply whether it is of type A, B, C, etc., as described in column 8 lines 11-28. Information of printer type is used by Ichikawa to determine which, of the plural sets of tables already stored in image processor 10, is to be used. This is quite different than, and actually teaches away from, the present invention, in which actual parameters, including parameters which may vary as a result of manufacturing variations in the printer, are stored in the printer and communicated to the camera, so that the camera can compensate for these parameters.

Kumasaka et al. discloses an electrophotographic marking engine (copier and/or printer) in which two images are formed on a photoconductor for transfer to a receiver sheet. According to the description of the embodiment shown in FIG. 15 of Kumasaka et al., "(1) each of a black image and a color image can be reduced or increased in size and (2) change in color during the bicolor printing operation is easy." It is unclear if the "re-sizing" operation is or is not effectable during the printing operation, but clearly Kumasaka et al. suggests that changing color can be effected during the printing operation, and that such a change would be easy.

The Examiner suggests that "it would have been obvious to have performed the required changes to the printing process as taught by Kumasaka et al. to provide selectivity in acquiring a printed image." Although Applicant's attorney is not sure what this statement exactly means, it is assumed that the Examiner is suggesting that it would have been obvious from Kumasaka et al. to modify the Parulski et al. camera so as to provide it with the capability to change

the color of a printed image during a printing process. This rejection is traversed on the following grounds: (1) Kumasaka et al. in fact does not teach “compensation for printer characteristics” as set forth in the claims and the specification of the present application; and (2) even if Kumasaka et al. did teach changing the color of a printed image during a printing process and this was indeed “compensation for printer characteristics” as defined in the present application, there is no suggestion in Kumasaka et al. or in Parulski et al. that such control can be effected in an image capture device (a camera) as opposed to in the controller of the marking engine.

I. Changing the color of a printed image is not “compensation for changes in printer characteristics which vary during the printing process”:

While the claims of the present application require compensation for printer characteristics, Kumasaka et al., at most, provides for changing color or size of an image during a “printing operation.” Clearly, changing the color or size of an image would not be done as “compensation for printer characteristics, but rather would be effected by an operator to produce a different printed image. There is no suggestion in Kumasaka et al. to adjust size or color of an image as compensation for printer characteristics. Accordingly, the combination suggested by the Examiner would not produce the claimed structure.

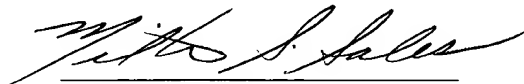
II. The prior art does not suggest that changing the color of a printed image can be effected in a camera as opposed to in the controller of a marking engine:

Assuming that Kumasaka et al. does indeed teach that which the Examiner suggests, still there would be no suggestion to combine those features with the camera of Parulski et al. The initial burden of establishing a prima facie basis to deny patentability to a claimed invention rests upon the Examiner. In re Oetiker, 24 USPQ2d 1443 (Fed. Cir. 1992). In rejecting a claim under 35 U.S.C. 103, the Examiner must provide a factual basis to support the obviousness conclusion. Based on the objective evidence of record, the Examiner is required to make the factual inquiries mandated by Graham v. John Deere of Kansas City, 383 U.S. 1, 17, 148 USPQ 459, 469 (1966). The Examiner is also required to explain why one having ordinary skills in the art would have been led to modify and/or combine the applied prior art to arrive at the claimed invention. Uniroyal Inc. v.

Rudkin-Wiley Corp., 837 F.2d 1044, 5 USPQ2d 1434 (Fed. Cir. 1988). As such, Applicant believes that a person having the references of record before him or her would not look to Kumasaka et al. as a suggestion to modify Parulski et al. such that the camera would be instructed to change the print color or the size of the printed image.

For the reasons set forth above, Applicants believe that the application is allowable. Reconsideration and favorable action are solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Milton S. Sales", is written over a horizontal line.

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